

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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ESTATE OF MICHAEL EDWARD BELL, by  
Special Administrator Michael Martin Bell,  
KIM MARIE BELL,  
MICHAEL MARTIN BELL, and  
SHANTAE BELL,

Plaintiffs,

vs.

Case No. 05-C-1176

OFFICER ERICH R. STRAUSBAUGH,  
OFFICER ERICH S. WEIDNER,  
LIEUTENANT DAVID H. KRUEGER,  
OFFICER ALBERT B. GONZALES,  
KENOSHA POLICE DEPARTMENT,  
c/o CHIEF OF POLICE DANIEL C. WADE,  
and CITY OF KENOSHA,

Defendants.

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**DEFENDANT ALBERT B. GONZALES' RESPONSES TO PLAINTIFFS'  
SIXTH SET OF WRITTEN INTERROGATORIES  
DATED SEPTEMBER 6, 2007 AND  
FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS  
DATED SEPTEMBER 6, 2007**

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The Defendant, Albert B. Gonzales, by his attorneys, Gunta & Reak, S.C., submits the following responses to Plaintiffs' Sixth Set of Written Interrogatories Dated September 6, 2007 and Fifth Request for Production of Documents Dated September 6, 2007.

**INTERROGATORIES**

**INTERROGATORY NO. 1:** Identify every person who has ever evaluated or examined you for mental fitness to serve as a law enforcement officer.

**RESPONSE:** Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without



any factual basis to do so.

**INTERROGATORY NO. 2:** Identify every health care provider who treated or examined you as the result of the November 9, 2004 shooting.

**RESPONSE:** Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

**INTERROGATORY NO. 3:** Identify every hospital, clinic, department, or other facility in which you have been treated or examined, whether on an in-patient or out-patient basis, as a result of the November 9, 2004 shooting.

**RESPONSE:** Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

**INTERROGATORY NO. 4:** Identify every hospital, clinic, department or other facility, or other health care provider that has treated or examined you for any reason since you applied to begin or began your career or training in law enforcement at any level in any capacity (i.e., David Krueger, on or about January 19, 1983; Erich Strausbaugh, on or about March 1, 1995).

**RESPONSE:** Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

**REQUESTS FOR PRODUCTION**

**REQUEST NO. 1:** Please sign medical authorizations [attached] addressed to each and every person, health care provider, hospital, clinic, department, or other facility, in response to each and every interrogatory for the release of medical records.


**RESPONSE:** Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

Dated this 6 day of Nov, 2007.

  
Albert B. Gonzales

Subscribed and sworn to before me

this 6<sup>th</sup> day of November, 2007.

  
Notary Public, State of Wisconsin  
My Commission 03-29-09

AS TO OBJECTIONS:

GUNTA & REAK, S.C.  
Attorneys for Defendants

By:

  
Gregg J. Gunta WI State Bar No. 1004322  
Kevin P. Reak WI State Bar No. 1004316  
John A. Wolfgang WI State Bar No. 1045325  
219 North Milwaukee Street, Fifth Floor  
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E-mail: [jaw@gunta-reak.com](mailto:jaw@gunta-reak.com)

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OFFICER ERICH S. WEIDNER,  
LIEUTENANT DAVID H. KRUEGER,  
OFFICER ALBERT B. GONZALES,  
KENOSHA POLICE DEPARTMENT,  
c/o CHIEF OF POLICE DANIEL C. WADE,  
and CITY OF KENOSHA,

Defendants.

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**DEFENDANT DAVID H. KRUEGER'S RESPONSES TO PLAINTIFFS'  
SIXTH SET OF WRITTEN INTERROGATORIES  
DATED SEPTEMBER 6, 2007 AND  
FIFTH REQUEST FOR PRODUCTION OF DOCUMENTS  
DATED SEPTEMBER 6, 2007**

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The Defendant, David H. Krueger, by his attorneys, Gunta & Reak, S.C., submits the following responses to Plaintiffs' Sixth Set of Written Interrogatories Dated September 6, 2007 and Fifth Request for Production of Documents Dated September 6, 2007.

**INTERROGATORIES**

**INTERROGATORY NO. 1:** Identify every person who has ever evaluated or examined you for mental fitness to serve as a law enforcement officer.

**RESPONSE:** Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without

any factual basis to do so.

**INTERROGATORY NO. 2:** Identify every health care provider who treated or examined you as the result of the November 9, 2004 shooting.

**RESPONSE:** Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

**INTERROGATORY NO. 3:** Identify every hospital, clinic, department, or other facility in which you have been treated or examined, whether on an in-patient or out-patient basis, as a result of the November 9, 2004 shooting.

**RESPONSE:** Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so. Subject to the objection, the answer is there is none.

**INTERROGATORY NO. 4:** Identify every hospital, clinic, department or other facility, or other health care provider that has treated or examined you for any reason since you applied to begin or began your career or training in law enforcement at any level in any capacity (i.e., David Krueger, on or about January 19, 1983; Erich Strausbaugh, on or about March 1, 1995).

**RESPONSE:** Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

## REQUESTS FOR PRODUCTION

REQUEST NO. 1: Please sign medical authorizations [attached] addressed to each and every person, health care provider, hospital, clinic, department, or other facility, in response to each and every interrogatory for the release of medical records.

RESPONSE: Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without any factual basis to do so.

Dated this 1<sup>st</sup> day of Nov., 2007.

David H. Krueger  
David H. Krueger

Subscribed and sworn to before me

this 1<sup>st</sup> day of November, 2007.

Kelly M. Androski  
Notary Public, State of Wisconsin  
My Commission 03-29-09

AS TO OBJECTIONS:

GUNTA & REAK, S.C.  
Attorneys for Defendants

By:

K-P  
Gregg J. Gunta WI State Bar No. 1004322  
Kevin P. Reak WI State Bar No. 1004316  
John A. Wolfgang WI State Bar No. 1045325  
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**DEFENDANT ERICH R. STRAUSBAUGH'S RESPONSES TO PLAINTIFFS'  
SIXTH SET OF WRITTEN INTERROGATORIES  
DATED SEPTEMBER 6, 2007 AND  
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The Defendant, Erich R. Strausbaugh, by his attorneys, Gunta & Reak, S.C., submits the following responses to Plaintiffs' Sixth Set of Written Interrogatories Dated September 6, 2007 and Fifth Request for Production of Documents Dated September 6, 2007.

**INTERROGATORIES**

**INTERROGATORY NO. 1:** Identify every person who has ever evaluated or examined you for mental fitness to serve as a law enforcement officer.

**RESPONSE:** Objection, not calculated or likely to lead to the discovery of admissible evidence. Defendants have made no claim in this case that their actions were the result of any disease or medical condition, including mental conditions. Plaintiffs' request is unduly intrusive and seeks to violate the physician/patient privilege, and/or the patient/psychotherapist privilege, without



any factual basis to do so.

**INTERROGATORY NO. 2:** Identify every health care provider who treated or examined you as the result of the November 9, 2004 shooting.

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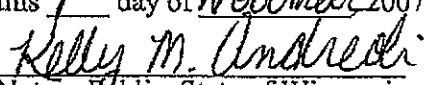
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Dated this 01 day of NOVEMBER, 2007.


  
Erich R. Strausbaugh

Subscribed and sworn to before me  
this 1st day of November, 2007.  
  
Notary Public, State of Wisconsin  
My Commission 03-29-09

AS TO OBJECTIONS:

GUNTA & REAK, S.C.  
Attorneys for Defendants

By:

  
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Kevin P. Reak WI State Bar No. 1004316  
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E-mail: [jaw@gunta-reak.com](mailto:jaw@gunta-reak.com)

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KENOSHA POLICE DEPARTMENT,  
c/o CHIEF OF POLICE DANIEL C. WADE,  
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**DEFENDANT ERICH R. WEIDNER'S RESPONSES TO PLAINTIFFS'  
SIXTH SET OF WRITTEN INTERROGATORIES  
DATED SEPTEMBER 6, 2007 AND  
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The Defendant, Erich R. Weidner, by his attorneys, Gunta & Reak, S.C., submits the following responses to Plaintiffs' Sixth Set of Written Interrogatories Dated September 6, 2007 and Fifth Request for Production of Documents Dated September 6, 2007.

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**INTERROGATORY NO. 1:** Identify every person who has ever evaluated or examined you for mental fitness to serve as a law enforcement officer.

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**INTERROGATORY NO. 2:** Identify every health care provider who treated or examined you as the result of the November 9, 2004 shooting.

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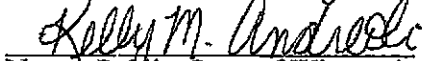
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Dated this 5<sup>th</sup> day of ~~October~~, 2007.  
*November*

  
Erich S. Weidner

Subscribed and sworn to before me


this 5<sup>th</sup> day of November, 2007.

  
Notary Public, State of Wisconsin  
My Commission 03-29-09

AS TO OBJECTIONS:

GUNTA & REAK, S.C.  
Attorneys for Defendants

By:

  
\_\_\_\_\_  
Gregg J. Gunta WI State Bar No. 1004322  
Kevin P. Reak WI State Bar No. 1004316  
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E-mail: [kpr@gunta-reak.com](mailto:kpr@gunta-reak.com)  
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